

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD)(SN) ECF Case

**DECLARATION IN SUPPORT OF MOTION FOR  
ENTRY OF PARTIAL FINAL DEFAULT JUDGMENTS ON BEHALF  
OF BURNETT/IRAN PLAINTIFFS IDENTIFIED AT EXHIBIT A**

**(BURNETT / IRAN XVI)**

JOHN M. EUBANKS, Esquire, hereby states under penalty of perjury that:

1. I am a Member in the law firm of Motley Rice LLC, attorneys for the Plaintiffs in the above-captioned matters. I submit this Declaration in support of this motion on behalf of the Plaintiffs identified in Exhibit A (attached hereto) from the action titled *Burnett, et al., v. The Islamic Republic of Iran, et al.*, 15-cv-9903-GBD-SN (“*Burnett/Iran*”).

2. The form of this motion and the relief requested herein are intended to comply with the following orders of this Court:

- a. The Court’s order dated January 24, 2017 (ECF No. 3435<sup>1</sup>), requiring that “[a]ll further motions for final judgment against any defaulting defendant shall be accompanied by a sworn declaration attesting that the attorney has (1) complied with the due diligence safeguards [referenced in Section II.D. of the January 23, 2017 letter from the Plaintiffs' Executive Committee (ECF No. 3433)] and (2) personally verified that no relief has previously been awarded to any plaintiff included in the judgment (or, if relief has been awarded, the nature of that relief).” For compliance with the required sworn declaration, please see paragraph 7, below.
- b. The Court’s Order dated October 14, 2016 (ECF No. 3363) concerning the amounts of solatium damage awards.

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<sup>1</sup> Unless indicated differently, citations to ECF Nos. are to the docket in *In re Terrorist Attacks on September 11, 2001*, 03-md-1570 (GBD)(SN).

- c. The Court's Order dated October 14, 2016 (ECF No. 3362) related to the cases captioned as *Bauer v. Al Qaeda Islamic Army*, 02-CV-7236 (GBD)(SN) and *Ashton v. al Qaeda Islamic Army*, 02-CV-6977 (GBD)(SN).

3. The form of this motion and the relief requested herein are also consistent with the form and relief requested and granted as to other plaintiffs in the *Burnett/Iran* action, in orders dated July 31, 2017, June 8, 2018, August 28, 2018, September 13, 2018, September 4, 2018, September 3, 2019, and September 6, 2019 at ECF Nos. 3666 (*Burnett/Iran I*), 4023 (*Burnett/Iran II*), 4126 (*Burnett/Iran III*), 4175 (*Burnett/Iran IV*), 4146 (*Burnett/Iran V*), 5062 (*Burnett/Iran VI*), 5061 (*Burnett/Iran VII*), 5087 (*Burnett/Iran IX*), 5138 (*Burnett/Iran XI*), 5151 (*Burnett/Iran XII*), and 5356 (*Burnett/Iran XIII*).

4. Service of process on The Islamic Republic of Iran and the Islamic Revolutionary Guard Corps was executed pursuant to 28 U.S.C. § 1608(a) on September 14, 2016 by service through diplomatic channels. Service on the Central Bank of the Islamic Republic of Iran was executed pursuant to 28 U.S.C. § 1608(b) on March 18, 2016 through direct mailing via the U.S. Postal Service.

5. The sources of my information and the basis for my belief in my statements contained herein are my personal involvement in this matter, my firm's representation of the *Burnett/Iran* Plaintiffs listed in Exhibit A, in connection with the September 11<sup>th</sup> terror attacks, other court records relating to the *In re Terrorist Attack on September 11, 2001* multidistrict litigation to which these individuals are parties, my communications with other counsel for other plaintiffs in the *In re Terrorist Attack on September 11, 2001* multidistrict litigation, and conversations with these plaintiffs and other family members of these plaintiffs. Any matters about which I lack Personal knowledge are asserted herein upon information and belief.

6. The *Burnett/Iran* Plaintiffs identified in Exhibit A are each decedents from the terrorist attacks on September 11, 2001, as indicated for each person on Exhibit A.

7. The pain and suffering amounts for the estates set forth in Exhibit A are the figures this Court has previously determined appropriate for compensatory damages for decedents' pain and suffering for decedents in this litigation. *See* ECF No. 2618 at 9; *see, e.g.*, ECF Nos. 3226 at 1; 3382 at 2.

8. The economic loss amounts set forth in Exhibit A are derived from the expert reports of economist Dr. Stan V. Smith, which are included in the attached Exhibit B which includes economic-loss expert reports for each individual for whom economic-loss damages have been sought in Exhibit A.

9. Exhibit B contains all of these economic-loss reports on digital media with a copy being provided to the Clerk's Office and a copy being provided to Chambers. Due to the sensitive financial information contained in these documents in addition to their size and volume, Plaintiffs submit that they should remain off the public docket and under seal as has been the custom in other instances where this type of information has been submitted to the Court.

10. The following is a list of those 9/11 decedents whose economic-loss reports can be found on Exhibit B:

<b>9/11 DECEDENT'S FIRST NAME</b>	<b>9/11 DECEDENT'S MIDDLE NAME</b>	<b>9/11 DECEDENT'S LAST NAME</b>	<b>SUFFIX</b>
Andrew	Anthony	Abate	
Vincent		Abate	
William	F.	Abrahamson	
Stephen	G.	Adams	
Christy	A.	Addamo	
Joseph		Agnello	
Margaret		Alario	

Peter	Craig	Alderman	
Richard	Dennis	Allen	
Christopher	Edward	Allingham	
Anna		Allison	
Tariq		Amanullah	
Calixto		Anaya	Jr.
Joseph	P.	Anchundia	
Kermit		Anderson	
Laura		Angilletta	
Peter	Paul	Apollo	
Frank	Thomas	Aquilino	
Myra	Joy	Aronson	
Michael		Asciak	
Michael		Asciak	
Michael	Edward	Asher	
Janice	Marie	Ashley	
Jane	Ellen	Baesler	
Tatyana		Bakalinskaya	
Paul	Vincent	Barbaro	
Diane		Barry	
Arthur	T.	Barry	
Guy		Barzvi	
Marlyn	Capito	Bautista	
Mark	Lawrence	Bavis	
Lawrence	I.	Beck	
Maria		Behr	
Helen		Belilovsky	
Debbie		Bellows	
Denise	Lenore	Benedetto	
Alvin		Bergsohn	
David	William	Bernard	
William		Bernstein	
Bella	J.	Bhukhan	
Kris	Romeo	Bishundat	
Craig	Michael	Blass	
Rita		Blau	
Deora	Frances	Bodley	
Alan		Bondarenko	
Carol	Marie	Bouchard	
Kevin	Leah	Bowser	
Alexander		Braginsky	

Nicholas	W.	Brandemarti	
Francis	H.	Brennan	
Daniel	J.	Brethel	
Mark		Brisman	
Patrick	J.	Brown	
Brandon	J.	Buchanan	
William	F.	Burke	Jr.
Matthew	J.	Burke	
Keith	James	Burns	
Richard	M.	Caggiano	
Michael		Cahill	
John	B.	Cahill	
Joseph	M.	Calandrillo	
Jose	Orlando	Calderon-Olmedo	
David	Otey	Campbell	
Sean	Thomas	Canavan	
Stephen	Jeffrey	Cangialosi	
Lisa		Cannava	
Michael	R.	Canty	
Jonathan		Cappello	
Sharon	Ann	Carver	
Neilie	Anne Heffernan	Casey	
William	Otto	Caspar	
Christopher	Sean	Caton	
Judson		Cavalier	
Michael	Joseph	Cawley	
Charles		Chan	
Kyung	Hee	Cho	
Frances		Cilente	
Elaine		Cillo	
Nestor	A.	Cintron	
Sarah	Miller	Clark	
James	Durward	Cleere	
Kevin	Sanford	Cohen	
Mark	J.	Colaio	
Stephen	J.	Colaio	
Michel	Paris	Colbert	
Scott	Thomas	Coleman	
Keith	Eugene	Coleman	
John		Collins	
Michael	L.	Collins	

Linda	M.	Colon	
Kevin	P.	Connors	
John	J.	Corcoran III	
James	J.	Corrigan	
Dolores	M.	Costa	
Michael	S.	Costello	
Fred	John	Cox	
Tara	Kathleen	Creamer	
Lucy		Crifasi	
John	A.	Crisci	
Helen	P.	Crossin-Kittle	
Thomas	G.	Crotty	
John	R.	Crowe	
Welles	Remy	Crowther	
Thelma		Cuccinello	
Richard	J.	Cudina	
Joyce		Cummings	
Brian	T.	Cummins	
Beverly	L.	Curry	
Gavin		Cushny	
Jason	M.	Dahl	
Edward	A.	D'Atri	
Michael		D'Auria	
Michael	A.	Davidson	
Dorothy	Alma	de Araujo	
James	D.	Debeuneure	
Anna	M.	Debin	
Paul		DeCola	
Jason		DeFazio	
Manuel		Del Valle	Jr.
Vito	Joseph	Deleo	Sr.
Martin		Demeo	
Edward		DeSimone	III
Michael	Jude	D'Esposito	
Lawrence	Patrick	Dickinson	
Carl	A.	DiFranco	
Johnnie		Doctor	Jr.
Neil	Matthew	Dollard	
Jerome		Dominguez	
Kevin	W.	Donnelly	
Sareve		Dukat	

Eric	Adam	Eisenberg	
Michael	J.	Elferis	
Francis		Esposito	
Bridget	Ann	Esposito	
Ruben		Esquilin	Jr.
Eric	Brian	Evans	
Keith	George	Fairben	
Kathleen		Faragher	
Shannon	Marie	Fava	
Bernard		Favuzza	
Edward	Thomas	Fergus	Jr.
Jennifer	Louise	Fialko	
Kristen	Nicole	Fiedel	
John	B.	Fiorito	
Ryan	D.	Fitzgerald	
Thomas	James	Fitzpatrick	
Salvatore	A.	Fiumfreddo	
Robert	Joseph	Foti	
Lillian		Frederick-Lambert	
Clement		Fumando	
Karleton	D.	Fyfe	
James	A.	Gadiel	
Pamela	Lee	Gaff	
Deanna	Micciulli	Galante	
Charles		Garbarini	
David		Garcia	
Douglas	B.	Gardner	
Rocco	Nino	Gargano	
Terrence	D.	Gazzani	
Gary	Paul	Geidel	
Marina	Romanovna	Gertsberg	
Brenda	Colbert	Gibson	
John	F.	Ginley	
Dianne		Gladstone	
Barry	H.	Glick	
Michael		Gogliormella	
Jeffrey		Goldflam	
Rosa	J.	Gonzalez	
Lynn	Catherine	Goodchild	
Catherine	C.	Gorayeb	
Michael	Edward	Gould	

Christopher	Michael	Grady	
Lauren	C.	Grandcolas	
Christopher	Stewart	Gray	
James	Michael	Gray	
Wade	Brian	Green	
Eileen		Greenstein	
David	Joseph	Grimner	
Barbara		Guzzardo	
Robert		Hamilton	
Carl	Max	Hammond	Jr.
Sean		Hanley	
Sue	Ju	Hanson	
Frances		Haros	
Aisha	Ann	Harris	
Robert	Jay	Hayes	
Michelle	Marie	Henrique	
Claribel		Hernandez	
Jeffrey	A.	Hersch	
Thomas	J.	Hetzel	
Robert	Wayne	Hobson	III
Ronald	George	Hoerner	
Stephen	G.	Hoffman	
Frederick		Hoffmann	
Jimmie	Ira	Holley	
Matthew	D.	Horning	
Aaron		Horwitz	
Uhuru	Gonja	Houston	
Stephen		Huczko	Jr.
Thomas	F.	Hughes	Jr.
Kris	Robert	Hughes	
William	Christopher	Hunt	
Robert	Joseph	Hymel	
Thomas	Edward	Hynes	
Joseph	A.	Ianelli	
Zuhtu		Ibis	
Douglas	Jason	Irgang	
Michael	Grady	Jacobs	
Jake		Jagoda	
Robert	A.	Jalbert	
Joseph		Jenkins	Jr.
Prem	N.	Jerath	



Dennis	Michael	Johnson	
Charles	Edward	Jones	
Jane	Eileen	Josiah	
Anthony		Jovic	
Sheldon	Robert	Kanter	
Robin		Kaplan	
William	A.	Karnes	
Charles		Kasper	
Edward	T.	Keane	
William	Hill	Kelly	Jr.
John	Richard	Keohane	
Ralph	Francis	Kershaw	
Howard	L.	Kestenbaum	
Sarah		Khan	
Michael	Vernon	Kiefer	
Brian	Kevin	Kinney	
Chris	M.	Kirby	
Howard	Barry	Kirschbaum	
Deborah		Kobus	
Ryan	Ashley	Kohart	
Suzanne		Kondratenko	
Scott		Kopytko	
William	E.	Krukowski	
Kenneth	B.	Kumpel	
Joseph	A.	LaFalce	
Neil	Kwong-Wah	Lai	
Franco		Lalama	
Brendan	Mark	Lang	
Michele		Lanza	
Christopher	R.	Larrabee	
Jeannine		LaVerde	
David	William	Laychak	
Neil	J.	Leavy	
Linda	C.	Lee	
David	Prudencio	Lemagne	
John	D.	Levi	
Edward		Lichtschein	
Thomas	V.	Linehan	Jr.
Alan	Patrick	Linton	Jr.
Ming-Hao		Liu	
Catherine	Lisa	LoGuidice	

Laura	M.	Longing	
Lee	Charles	Ludwig	
Anthony		Luparello	
Gary	Frederick	Lutnick	III
Linda	Anne	Luzzicone	
Alexander		Lygin	
CeeCee	Louise	Lyles	
Michael	Francis	Lynch	
Patrick	John	Lyons	
Joseph		Maffeo	
Thomas	A.	Mahon	
Sara	Elizabeth	Manley	
Kenneth		Marino	
Vita		Marino	
Shelley	A.	Marshall	
Jose	Angel	Martinez	Jr.
Paul	Richard	Martini	
Anne	Marie	Martino-Cramer	
Michael		Massaroli	
Joseph		Mathai	
Charles	W.	Mathers	
Robert		Mattson	
Renee	A.	May	
Jennifer		Mazzotta	
Kaaria	William	Mbaya	
Patricia	A.	McAneney	
Michael	Patrick	McDonnell	
Keith		McHeffey	
Stephanie		McKenna	
Daniel	Walker	McNeal	
Robert	W.	McPadden	
Martin	Edward	McWilliams	
Deborah		Medwig	
Raymond		Meisenheimer	
Charles		Mendez	
Ralph		Mercurio	
Gregory		Milanowycz	
Craig	James	Miller	
Paul	T.	Mitchell	
Justin	John	Molisani	Jr.
Brian	Patrick	Monaghan	

Cheryl	Ann	Monyak	
Lindsay	S.	Morehouse	
Lynne	Irene	Morris	
Richard		Muldowney	
Peter	James	Mulligan	
Michael	Joseph	Mullin	
James	Donald	Munhall	
Carlos		Munoz	
Robert		Murach	
Edward	Charles	Murphy	
Christopher	W.	Murphy	
John	Joseph	Murray	
Rayman	Marcus	Neblett	
Pete		Negron	
James		Nelson	
Khang	N.	Nguyen	
Martin	Stewart	Niederer	
Daniel	R.	Nolan	
James	A.	Oakley	
Gerald	M.	Olcott	
Pablo		Ortiz	
Emilio		Ortiz	
Todd	Joseph	Ouida	
Richard	A.	Palazzolo	
Dominique	Lisa	Pandolfo	
James	N.	Pappageorge	
George		Paris	
Hashmukhrai	C.	Parmar	
Jerrold	H.	Paskins	
Steven	Bennett	Paterson	
Cira	Marie	Patti	
Angel	R.	Pena	
Carl	Allen	Peralta	
Jon	A.	Perconti	
Danny		Pesce	
Mark	James	Petrocelli	
Philip	Scott	Petti	
Ludwig	John	Picarro	
Joseph		Pick	
Bernard		Pietronico	
Christopher	Todd	Pitman	

Thomas	H.	Polhemus	
Darin	Howard	Pontell	
Joshua	I.	Poptean	
James	E.	Potorti	
Kevin	M	Prior	
Carrie	Beth	Progen	
John	F.	Puckett	
Beth	Ann	Quigley	
Christopher	A.	Racaniello	
Leonard	J.	Ragaglia	
Michael	Paul	Ragusa	
Faina	Aronovna	Rapoport	
William	Ralph	Raub	
Gregg		Reidy	
Joseph		Reina	Jr.
Thomas	Barnes	Reinig	
Frank		Reisman	
Karen		Renda	
John	Thomas	Resta	
Ann	Marie	Riccoboni	
David	H.	Rice	
Claude	Daniel	Richards	
Paul	V.	Rizza	
Antonio		Rocha	
Antonio	J.	Rodrigues	
Richard		Rodriguez	
Jean	Destrehan	Roger	
Joshua		Rosenblum	
Joshua	Alan	Rosenthal	
Michael	C.	Rothberg	
Mark	D.	Rothenberg	
Stephen	P.	Russell	
Jason	Elazar	Sabbag	
Scott		Saber	
Jessica	Leigh	Sachs	
Jude	Elias	Safi	
Paul	Richard	Salvio	
James	K.	Samuel	Jr.
James		Sands	Jr.
Christopher	A.	Santora	
John	A.	Santore	

Robert	Louis	Scandole	Jr.
Angela	Susan	Scheinberg	
Adriana		Scibetta	
Janice	Marie	Scott	
Matthew	Carmen	Sellitto	
Larry	John	Senko	
Marian	Teresa	Serva	
Adele		Sessa	
Karen	Lynn	Seymour	
Linda	June	Sheehan	
John	Anthony	Sherry	
Marianne		Simone	
John	P.	Skala	
Wendy	L.	Small	
Karl	T.	Smith	
Jeffrey	R.	Smith	
Rochelle	Monique	Snell	
Dianne	Bullis	Snyder	
Mari-Rae		Sopper	
Thomas		Sparacio	
John	Anthony	Spataro	
Robert	W.	Spear	Jr.
Richard	J.	Stadelberger	
Eric		Stahlman	
Jeffrey		Stark	
Craig	William	Staub	
Eric	Thomas	Steen	
Richard	H.	Stewart	Jr.
Douglas		Stone	
Walwyn	W.	Stuart	Jr.
William		Sugra	
Daniel		Suhr	
Patrick		Sullivan	
Brian	D.	Sweeney	
Phyllis		Talbot	
Robert	R.	Talhami	
Hector	R.	Tamayo	
Michael	M.	Taylor	
Karl	W.	Teepe	
Eric	R.	Thorpe	
John	P.	Tierney	

William	R.	Tieste	
Scott	Charles	Timmes	
John	J.	Tipping	II
Amy	E.	Toyen	
Michael	A.	Trinidad	
Gregory	J.	Trost	
Jennifer	Lynn	Tzemis	
Michael	A.	Uliano	
John	Damien	Vaccacio	
Daniel	Maurice	Van Laere	
Loretta	A.	Vero	
Christopher		Vialonga	
Robert		Vicario	
Frank	J.	Vignola	Jr.
Sergio		Villanueva	
Melissa		Vincent	
Joseph	Gerard	Visciano	
Joshua	S.	Vitale	
Alfred		Vukosa	
Wendy	A.	Wakeford	
Barbara	P.	Walsh	
Jeffrey	P.	Walz	
Michael		Warchola	
James	Thomas	Waters	Jr.
Patrick	J.	Waters	
Steven	George	Weinstein	
David	Martin	Weiss	
Peter	Matthew	West	
Kenneth	W.	White	
James	Patrick	White	
Mark	P.	Whitford	
Alison	M.	Wildman	
Crossley	Richard	Williams	Jr.
Kevin		Williams	
Glenn	J.	Winuk	
Frank	Thomas	Wisniewski	
Patrick		Woods	
James		Woods	
Rodney	James	Wotton	
Vicki	L.	Yancey	
Matthew	David	Yarnell	

Mark		Zangrilli	
Christopher	Rudolph	Zarba	Jr.

11. After reviewing the records available to me regarding other judgments entered by this Court against the Iranian defendants, I have not identified any relief that has previously been awarded to any particular plaintiff identified in Exhibit A to *Burnett/Iran XVI*.

12. Before filing this motion, I have (1) complied with the due diligence safeguards referenced in Section II.D. of the January 23, 2017 letter from the Plaintiffs' Executive Committees (ECF No. 3433) and (2) personally verified that, based on my review of the records available to me regarding other judgments entered by this Court against the Iranian defendants, no relief has previously been awarded to any plaintiff included in the judgment.

13. Accordingly, included with this motion is a proposed Order of Partial Final Judgment for the Plaintiffs Identified in Exhibit A, conforming to the Court's previous orders.

Dated: January 15, 2020

/s/ John M. Eubanks  
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